



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
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Seattle, WA 98101-3140

OFFICE OF WATER
AND WATERSHEDS

DEC 14 2012

Mr. Greg Aldrich
Water Quality Administrator
Oregon Department of Environmental Quality
811 SW Sixth Avenue
Portland, Oregon 97204-1390

Re: Approval of the Tualatin Subbasin TMDL Amendments and Revised WQMP

Dear Mr. Aldrich:

On September 1, 2012, the U.S. Environmental Protection Agency received the final version of the Tualatin Subbasin Total Maximum Daily Load (TMDL) amendment for total phosphorus and ammonia and a revised Water Quality Management Plan (WQMP). Following our review, the EPA is pleased to approve these changes to the original TMDL. These amendments do not replace the Tualatin Subbasin TMDLs issued in 2001 and do not alter the 303(d) listings.

This approval amends the Tualatin TMDL allocations set and approved by the EPA in August 7, 2001 for pH, Chlorophyll a, and dissolved oxygen to accommodate new summertime discharges. This amendment redistributes some of the wasteload allocations (WLAs) to two new discharge locations to the mainstem Tualatin River. A purpose of this redistribution is to allow trading of Total Phosphorus and Ammonia and Oxygen demanding pollutants. The concentration based allocations in the 2001 TMDL are unchanged in this amendment. In addition, this amendment maintains the seasonal median allocation values, and also clarifies the daily load equivalent for those allocations.

This submittal also includes implementation strategies for the TMDL outlined in the Water Quality Management Plan. This WQMP is a revision of the one submitted with the 2001 TMDL. The EPA has no duty to approve or disapprove implementation strategies under Section 303(d) of the Clean Water Act (CWA) therefore the agency is not taking action on these revised strategies.

The EPA does have review authority under Section 402 of the Clean Water Act for states authorized to implement the National Pollutant Discharge Elimination System (NPDES) program. The revised WLAs will be incorporated into NPDES permit(s) for dischargers to impaired waters. Therefore, affected NPDES permits and evaluation reports must provide a detailed discussion about the incorporation of new limits based on revised WLAs with regard to compliance with statutory and regulatory provisions for antibacksliding, and with the state's antidegradation regulatory provision and policy.

The EPA is pleased to note the reported improvements in the watershed from the water quality conditions addressed in the 2001 TMDL. The Agency supports strategies such as Water Quality Trading that can be very effective in improving water quality and meeting water quality standards.

By the EPA's approval, these TMDLs amendments will be an update into Oregon's Continuing Planning Process per Section 303(e) of the CWA. If you have any questions or comments, please feel free to call me at (206) 553-1855 or you may contact Martha Turvey of my staff at (206) 553-1354.

Sincerely,

A handwritten signature in blue ink, appearing to read "Daniel D. Opalski", is written over a faint, rectangular stamp that contains the text "2003 APR 1 2003".

Daniel D. Opalski, Director
Office of Water and Watersheds

cc: Ms. Avis Newell, Tualatin Basin Coordinator (electronic)
Oregon Department of Environmental Quality